## In the Claims:

Claims 1-51 are pending in this application, and the status of those claims are listed below:

1. (Previously presented) A method of determining an optimum bit load per subchannel in a multicarrier system with forward error correction, comprising:

computing one or more values of a number of bit positions b of a quadrature-amplitude-modulation symbol, based on one or more values of a number of symbols in the information field K, and one or more values of a number of control code symbols per discrete-multi-tone symbol z, to provide one or more determined values of b, in accordance with the following relationship:

$$1 - \left(1 - W(s, z, K)\varepsilon_{s}^{\frac{1}{0.5 \cdot sz+1}}\right)^{1/\alpha}$$

$$= \omega(b(\gamma_{eff}, s, z))(1 - 2^{-b(\gamma_{eff}, s, z)/2})erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / (2^{b(\gamma_{eff}, s, z)+1} - 2)\right),$$

$$\times \left[2 - \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / (2^{b(\gamma_{eff}, s, z)+1} - 2)\right)\right]$$

$$W(s,z,K) = \left[\frac{\Gamma(K+\rho s+sz)}{\Gamma(K+\rho s+0.5\cdot sz)\Gamma(0.5\cdot sz+1)}\right]^{-1/(0.5\cdot sz+1)}$$
$$\omega(b) = \frac{4}{2b+3},$$

$$\Gamma(x)=(x-1)!$$
, and

$$b(\gamma_{eff}, s, z) = \frac{\alpha}{sn_{eff}} (K + \rho s + zs)$$

s represents a number of discrete-multi-tone symbols in a frame,  $\varepsilon_s$  represents a symbol error rate,  $\alpha$  represents the size of a code symbol,  $\rho$  represents a framing mode index,  $\omega(b)$  represents an average fraction of erroneous bits in an erroneous b-sized quadrature-

amplitude-modulation symbol,  $\gamma_{eff}$  represents an effective signal-to-noise ratio, and  $n_{eff}$  represents an effective number of subchannels; and

selecting the value of K and the value of z which provides a maximum number of bit positions based on the one or more determined values of b.

- 2. (Original) The method of claim 1 wherein the effective signal-to-noise ratio  $\gamma_{eff}$  is an average signal-to-noise ratio of at least a subset of the channels.
- 3. (Previously presented) The method of claim 1 wherein the size of the frame ranges from 0 to  $N_{max}$ -s-zs symbols, where  $N_{max}$  is a predetermined value.
  - 4. (Previously presented) The method of claim 1 further comprising:

determining a difference  $\Theta(K)$  between a bit error rate prior to decoding and a target bit error rate  $(p_e)$  based on one or more values of a length of an information field K within a range from 0 to  $N_{\text{max}}$ - $\rho s$ -sz, where  $N_{\text{max}}$  is a predetermined value, in accordance with the following relationship:

$$\Theta(K) = \omega(b(\gamma_{eff}, s, z))p_{OAM} - p_e$$
, and

$$\omega(b(\gamma_{eff}, s, z))p_{QAM}$$

$$=\omega\left(\frac{\alpha}{sn_{eff}}(K + \rho s + zs)\right)\left(1 - 2^{-\frac{\alpha}{2sn_{eff}}(K + \rho s + zs)}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} \sqrt{2^{\frac{\alpha}{sn_{eff}}(K + \rho s + zs)+1} - 2}\right)$$

$$\times\left[2 - \left(1 - 2^{-\frac{\alpha}{2sn_{eff}}(K + \rho s + zs)}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} \sqrt{2^{\frac{\alpha}{sn_{eff}}(K + \rho s + zs)+1} - 2}\right)\right]$$

$$p_{e} = \left[1 - \left(1 - W(s, z, K)\varepsilon_{s}^{\frac{1}{0.5 \cdot sz + 1}}\right)^{1/\alpha}\right]$$

wherein  $p_{QAM}$  represents a probability of error in transmitting a quadrature-amplitude-modulation waveform representing a  $2^b$  point constellation; and comparing the value of  $\Theta(0)$  and  $\Theta(N_{max}-s-zs)$  to 0; and setting the value of K in response to the comparing.

5. (Previously presented) The method of claim 4 further comprising: when  $\Theta(0) < 0$  and  $\Theta(N_{max}-s-sz) < 0$ , setting  $K = N_{max}-s-zs$ .

- 6. (Previously presented) The method of claim 4 further comprising: setting  $b(\gamma_{eff}, s, z)$  equal to  $(\alpha N_{max})/(s n_{eff})$  for all values of  $\gamma_{eff}$  and z.
- 7. (Previously presented) The method of claim 4 wherein when  $\Theta(0)>0$  and  $\Theta(N_{max}-s-sz)>0$ , setting  $K=N_{max}-1$ .
  - 8. (Previously presented) The method of claim 7 further comprising: setting s=1 and z=0.
- 9. (Currently amended) A method of selecting forward error correction parameters in a channel having a plurality of subchannels in a multicarrier communications system, comprising:

determining a signal-to-noise ratio representing a subset of the subchannels to provide a representative performance measurement;

storing, in a table, selected sets of forward error correction parameters and net coding gains from using the sets, the sets including at least a the number (s) of discrete multi-tone symbols in a forward-error-correction frame[[,]] and a the number (z) of forward-error-correction control symbols in the discrete multi-tone symbol, the sets and the net coding gains corresponding to combinations of a associated with the signal-to-noise ratio[[,]] and the a number of subchannels carrying the discrete multi-tone symbols associated with the signal-to-noise ratio, and a net coding gain for different values of s,  $\varepsilon$ , signal-to-noise ratios and numbers of subchannels;

<u>determining a signal-to-noise ratio representing a set of the subchannels carrying</u> the discrete multi-tone symbols; and

using the table, selecting a particular set of forward error correction parameters of for the channel based on at least the net coding gain for the particular set by applying an approximation to a subset of values in the table.

10. (Original) The method of claim 9 wherein the approximation is a bilinear approximation.

11. (Currently amended) A method of selecting forward error correction parameters in a channel having a plurality of subchannels in a multicarrier communications system, comprising:

determining a signal-to-noise ratio representing a subset of the subchannels to provide a representative performance measurement;

storing, in a table, selected sets of forward error correction parameters and net coding gains from using the sets, the sets including at least a the number (s) of discrete multi-tone symbols in a forward-error-correction frame, a the number (z) of forward-error-correction control symbols in the discrete multi-tone symbol associated with the signal-to-noise ratio, the maximum number of transmissions (k), the sets and the net coding gains corresponding to combinations of a associated with the and-the number of subchannels associated with the signal-to-noise ratio[[,]] and a net coding gain for different values of s, s, signal-to-noise ratios and numbers a number of subchannels carrying the discrete multi-tone symbols;

<u>determining a signal-to-noise ratio representing a set of subchannels carrying the</u> discrete multi-tone symbols; and

<u>using the table</u>, selecting <u>a particular set of</u> forward error correction parameters <u>of</u> <u>for</u> the channel based on <u>at least</u> the net coding gain <u>for the particular set</u> <u>by applying an approximation to a subset of values in the table</u>.

- 12. (Original) The method of claim 11 wherein the approximation is a bilinear approximation.
- 13. (Original) The method of claim 11 wherein and the values of s and z are in accordance with the G.dmt standard.
- 14. (Original) The method of claim 13 wherein the values of s and z are in accordance with the G.lite standard, such that a subset of the tables associated with the values of s and z in accordance with the G.dmt standard are used when the channel uses the G.lite standard.
- 15. (Original) A method of increasing a bit load of a multicarrier system comprising a channel having a plurality of subchannels, comprising:

determining a bit load for at least one subchannel based on a target symbol error rate  $\varepsilon_s$ , a maximum number of symbol errors that can be corrected t, a number of symbols in an information field K, and a maximum number of transmissions k, and a number of bits per subchannel; and

selecting the maximum number of symbol errors t, the number of symbols in the information field K and the maximum number of transmissions k, such that a net coding gain is increased, and wherein t, K and k are also selected such that no forward error correction is applied when the number of subchannels exceeds a predetermined threshold number of subchannels.

- 16. (Original) The method of claim 15 wherein the channel uses the G.dmt standard.
- 17. (Original) The method of claim 15 wherein the channel uses the G.lite standard.
- 18. (Previously presented) A method of determining an optimum bit load per subchannel in a multicarrier system with forward error correction, comprising:

computing one or more values of a number of bit positions b of a quadrature-amplitude-modulation symbol based on one or more values of a number of symbols in an information field K, one or more values of a number of control code symbols per discrete-multi-tone symbol z, and a maximum number of transmissions k, to provide one or more determined values of b, in accordance with the following relationship:

$$1 - \left(1 - W(s, z, K, k) \varepsilon_{s}^{\frac{1}{k(0.5sz+1)}}\right)^{1/\alpha}$$

$$= \omega(b(\gamma_{eff}, s, z)) \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right) erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{b(\gamma_{eff}, s, z)+1} - 2\right)\right)$$

$$\times \left[2 - \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right) erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{b(\gamma_{eff}, s, z)+1} - 2\right)\right)\right]$$

$$W(s, z, K, k) = \left[\frac{\Gamma(K + \rho s + sz)}{\Gamma(K + \rho s + 0.5 \cdot sz)\Gamma(0.5 \cdot sz + 1)}\right]^{-1/(0.5 \cdot sz + 1)} \left[\frac{\Gamma(K + \rho s + sz + 1)}{\Gamma(K + \rho s + 0.5 \cdot sz)\Gamma(0.5 \cdot sz + 2)}\right]^{-(k-1)/(0.5 \cdot sz + 1)k}$$

$$\omega(b) = \frac{4}{2b+3},$$

$$\Gamma(x)=(x-1)!$$
, and

$$b(\gamma_{eff}, s, z) = \frac{\alpha}{sn_{eff}} (K + \rho s + zs)$$

s represents a number of discrete-multi-tone symbols in a frame,  $\varepsilon_s$  represents a symbol error rate,  $\alpha$  represents the size of a code symbol,  $\omega(b)$  represents an average fraction of erroneous bits in an erroneous b-sized quadrature-amplitude-modulation symbol,  $\gamma_{eff}$  represents an effective signal-to-noise ratio,  $\rho$  represents a framing mode index; and  $n_{eff}$  represents an effective number of subchannels; and

selecting the value of K and the value of z which provides a maximum number of bit positions based on the one or more determined values of b.

- 19. (Original) The method of claim 18 wherein the effective signal-to-noise ratio  $\gamma_{eff}$  is an average signal-to-noise ratio of at least a subset of the channels.
- 20. (Previously presented) The method of claim 18 wherein the size of the frame ranges from 0 to  $N_{max}$ - $\rho$ s-sz symbols, where  $N_{max}$  is a predetermined value.
  - 21. (Previously presented) The method of claim 18 further comprising:

determining a difference  $\Theta(K)$  between a bit error rate prior to decoding and a target bit error rate  $(p_e)$  based on one or more values of a length of an information field K within a range from 0 to  $N_{\text{max}}$ -ps-sz, where  $N_{\text{max}}$  is a predetermined value, in accordance with the following relationship:

$$\Theta(K) = \omega \left( \frac{\alpha}{sn_{eff}} \left( K + \rho s + z s \right) \right) \left( 1 - 2^{-\frac{\alpha}{2sn_{eff}} (K + \rho s + z s)} \right) erfc \left( \sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left( 2^{\frac{\alpha}{sn_{eff}} (K + \rho s + z s) + 1} - 2 \right) \right)$$

$$\times \left[ 2 - \left( 1 - 2^{-\frac{\alpha}{2sn_{eff}} (K + \rho s + z s)} \right) erfc \left( \sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left( 2^{\frac{\alpha}{sn_{eff}} (K + \rho s + z s) + 1} - 2 \right) \right) \right]$$

$$- \left[ 1 - \left( 1 - W(s, z, K, k) \varepsilon_s^{\frac{1}{k(0.5 \cdot s z + 1)}} \right)^{1/\alpha} \right]$$

wherein  $p_{QAM}$  represents a probability of error in transmitting a quadrature-amplitude-modulation waveform representing a  $2^b$  point constellation,; and comparing the value of  $\Theta(0)$  and  $\Theta(N_{max}-\rho s-sz)$  to 0; and setting the value of K in response to the comparing.

- 22. (Previously presented) The method of claim 21 wherein when  $\Theta(0) < 0$  and  $\Theta(N_{max} \rho s sz) < 0$ , setting  $K = N_{max} \rho s sz$ .
  - 23. (Previously presented) The method of claim 18 further comprising: setting  $b(\gamma_{eff}, s, z)$  equal to  $(\alpha N_{max})/(s n_{eff})$  for all values of  $\gamma_{eff}$  and z.
- 24. (Original) The method of claim 18 wherein when  $\Theta(0)>0$  and  $\Theta(N_{max}-\rho s-sz)>0$ , setting  $K=N_{max}-\rho$ .
  - 25. (Previously presented) The method of claim 24 further comprising: setting s=1 and z=0.
- 26. (Previously presented) An apparatus for determining an optimum bit load per subchannel in a multicarrier system with forward error correction, comprising:

means for computing a number of bit positions b of a quadrature-amplitude-modulation symbol based on one or more values of a number of symbols in the information field K and one or more values of a number of control code symbols per discrete-multi-tone symbol z, to provide one or more determined values of b, in accordance with the following relationship:

$$1 - \left(1 - W(s, z, K)\varepsilon_{s}^{\frac{1}{0.5 \cdot sz+1}}\right)^{1/\alpha}$$

$$= \omega(b(\gamma_{eff}, s, z))(1 - 2^{-b(\gamma_{eff}, s, z)/2})erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / (2^{b(\gamma_{eff}, s, z)+1} - 2)\right), \text{ and }$$

$$\times \left[2 - \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / (2^{b(\gamma_{eff}, s, z)+1} - 2)\right)\right]$$

$$W(s,z,K) = \left[\frac{\Gamma(K+\rho s+sz)}{\Gamma(K+\rho s+0.5\cdot sz)\Gamma(0.5\cdot sz+1)}\right]^{-1/(0.5\cdot sz+1)}$$

$$\omega(b) = \frac{4}{2b+3}$$
, and

$$\Pi(x)=(x-1)!,$$

s represents a number of discrete-multi-tone symbols in a frame,  $\varepsilon_s$  represents a symbol error rate,  $\alpha$  represents the size of a code symbol,  $\rho$  represents a framing mode index,,  $\omega(b)$  represents an average fraction of erroneous bits in an erroneous b-sized quadrature-amplitude-modulation symbol,  $\gamma_{eff}$  represents an effective signal-to-noise ratio, and  $n_{eff}$  represents an effective number of subchannels; and

means for selecting the value of K and the value of z which provides a maximum number of bit positions based on the one or more determined values of b.

- 27. (Original) The apparatus of claim 26 wherein the effective signal-to-noise ratio  $\gamma_{eff}$  is an average signal-to-noise ratio of at least a subset of the channels.
- 28. (Previously presented) The apparatus of claim 26 wherein the size of the frame ranges from 0 to  $N_{max}$ -s-zs symbols, where  $N_{max}$  is a predetermined value.
- 29. (Previously presented) The apparatus of claim 26 further comprising: means for determining a difference  $\Theta(K)$  between a bit error rate prior to decoding and a target bit error rate  $(p_e)$  based on one or more values of a length of an information field K within a range from 0 to  $N_{\text{max}}$ - $\rho$ s-sz, where  $N_{\text{max}}$  is a predetermined value, in accordance with the following relationship:

$$\Theta(K) = \omega(b(\gamma_{eff}, s, z))p_{OAM} - p_e$$
, and

$$\omega(b(\gamma_{eff}, s, z))p_{QAM}$$

$$=\omega\left(\frac{\alpha}{sn_{eff}}(K + \rho s + zs)\right)\left(1 - 2^{-\frac{\alpha}{2sn_{eff}}(K + \rho s + zs)}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / 2^{\frac{\alpha}{sn_{eff}}(K + \rho s + zs)+1} - 2\right)\right)$$

$$\times\left[2 - \left(1 - 2^{-\frac{\alpha}{2sn_{eff}}(K + \rho s + zs)}\right)erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / 2^{\frac{\alpha}{sn_{eff}}(K + \rho s + zs)+1} - 2\right)\right)\right]$$

$$p_e = \left[1 - \left(1 - W(s, z, K)\varepsilon_s^{\frac{1}{0.5 \cdot sz + 1}}\right)^{1/\alpha}\right]$$

wherein  $p_{QAM}$  represents a probability of error in transmitting a quadrature-amplitude-modulation waveform representing a  $2^b$  point constellation; and means for comparing the value of  $\Theta(0)$  and  $\Theta(N_{max}-s-zs)$  to 0; and means for setting the value of K in response to the means for comparing.

- 30. (Previously presented) The apparatus of claim 29 wherein when  $\Theta(0) < 0$  and  $\Theta(N_{max}-s-sz) < 0$ , said means for setting sets  $K = N_{max}-s-zs$ .
  - 31. (Previously presented) The apparatus of claim 30 further comprising: means for setting  $b(\gamma_{eff}, s, z)$  equal to  $(\alpha N_{max})/(s n_{eff})$  for all values of  $\gamma_{eff}$  and z.
- 32. (Previously presented) The apparatus of claim 30 wherein when  $\Theta(0)>0$  and  $\Theta(N_{max}-s-sz)>0$ , said means for setting sets  $K=N_{max}-1$ .
- 33. (Previously presented) The apparatus of claim 32 wherein said means for setting sets s=1 and z=0.
- 34 (Currently amended) An apparatus for selecting forward error correction parameters in a channel having a plurality of subchannels in a multicarrier communications system, comprising:

means for determining a signal-to-noise ratio representing a subset of the subchannels to provide a representative performance measurement;

means for storing, in a table, selected sets of forward error correction parameters and net coding gains from using the sets, the sets including at least a the number (s) of discrete multi-tone symbols in a forward-error-correction frame[[,]] and a the number (z) of forward-error-correction control symbols in the discrete multi-tone symbol . the sets and the net coding gains corresponding to combinations of a associated with the signal-to-noise ratio[[,]] and the a number of subchannels carrying the discrete multi-tone symbols associated with the signal-to-noise ratio, and a net coding gain for different values of s, z, signal-to-noise ratios and numbers of subchannels;

means for determining a signal-to-noise ratio representing a set of the subchannels carrying the discrete multi-tone symbols; and

means for selecting <u>a particular set of</u> forward error correction parameters <u>of for</u> the channel based on <u>at least</u> the net coding gain <u>for the particular set</u> <u>by applying an approximation to a subset of values in the table</u>.

- 35 (Original) The apparatus of claim 34 wherein the approximation is a bilinear approximation.
- 36. (Currently amended) An apparatus for selecting forward error correction parameters in a channel having a plurality of subchannels in a multicarrier communications system, comprising:

means for determining a signal-to-noise ratio representing a subset of the subchannels to provide a representative performance measurement;

means for storing, in a table, selected sets of forward error correction parameters and net coding gains from using the sets, the sets including at least a the number (s) of discrete multi-tone symbols in a forward-error-correction frame, a the number (z) of forward-error-correction control symbols in the discrete multi-tone symbol associated with the signal-to-noise ratio, the maximum number of transmissions (k), the sets and the net coding gains corresponding to combinations of a associated with the and the number of subchannels associated with the signal-to-noise ratio[[,]] and a net coding gain for different values of s,  $\varepsilon$ , signal-to-noise ratios and numbers a number of subchannels carrying the discrete multi-tone symbols;

means for <u>determining a signal-to-noise ratio representing a set of subchannels</u> carrying the discrete multi-tone symbols; and

means for selecting <u>a particular set of</u> forward error correction parameters <u>of for</u> the channel based on <u>at least</u> the net coding gain <u>for the particular set</u> <u>by applying an approximation to a subset of values in the table</u>.

- 37. (Original) The apparatus of claim 36 wherein the approximation is a bilinear approximation.
- 38. (Original) The apparatus of claim 36 wherein the values of s and z are in accordance with the G.dmt standard.
- 39. (Original) The apparatus of claim 38 wherein the values of s and z are in accordance with the G.lite standard, such that a subset of the tables associated with the values of s and z in accordance with the G.dmt standard are used when the channel uses the G.lite standard.
- 40. (Currently amended) An apparatus for increasing a bit load of a multicarrier system comprising a channel having a plurality of subchannels, comprising:

means for determining a bit load for at least one subchannel based on a target symbol error rate  $\varepsilon_s$ , a maximum number of symbol errors that can be corrected t, a number of symbols in an information field K, and a maximum number of transmissions k, and a number of bits per subchannel; and

means for selecting the  $\underline{a}$  maximum number of symbol errors t, the number of symbols in the information field K and the maximum number of transmissions k, such that a net coding gain is increased wherein the means for also selects t, K and k such that no forward error correction is applied when the number of subchannels exceeds a predetermined threshold number of subchannels.

41. (Previously presented) An apparatus for determining an optimum bit load per subchannel in a multicarrier system with forward error correction, comprising:

means for computing one or more values of a number of bit positions b of a quadrature-amplitude-modulation symbol based on one or more values of a number of symbols in an information field K, one or more values of a number of control code

symbols per discrete-multi-tone symbol z, and a maximum number of transmissions k, to provide one or more determined values of b, in accordance with the following relationship:

$$1 - \left(1 - W(s, z, K, k) \varepsilon_{s}^{\frac{1}{k(0.5sz+1)}}\right)^{1/\alpha}$$

$$= \omega(b(\gamma_{eff}, s, z)) \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right) erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{b(\gamma_{eff}, s, z)+1} - 2\right)\right)$$

$$\times \left[2 - \left(1 - 2^{-b(\gamma_{eff}, s, z)/2}\right) erfc\left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{b(\gamma_{eff}, s, z)+1} - 2\right)\right)\right]$$

$$W(s, z, K, k) = \left[\frac{\Gamma(K + \rho s + sz)}{\Gamma(K + \rho s + 0.5 \cdot sz)\Gamma(0.5 \cdot sz + 1)}\right]^{-1/(0.5 \cdot sz + 1)} \left[\frac{\Gamma(K + \rho s + sz + 1)}{\Gamma(K + \rho s + 0.5 \cdot sz)\Gamma(0.5 \cdot sz + 2)}\right]^{-(k-1)/(0.5 \cdot sz + 1)k}$$

$$b(\gamma_{eff}, s, z) = \frac{\alpha}{sn_{eff}} (K + \rho s + zs)$$
$$\omega(b) = \frac{4}{2b+3}, \text{ and}$$

$$\Gamma(x)=(x-1)!$$

s represents a number of discrete-multi-tone symbols in a frame,  $\varepsilon_s$  represents a symbol error rate,  $\alpha$  represents the size of a code symbol,  $\omega(b)$  represents an average fraction of erroneous bits in an erroneous b-sized quadrature-amplitude-modulation symbol,  $\gamma_{eff}$  represents an effective signal-to-noise ratio, and  $\rho$  represents framing mode index; and  $n_{eff}$  represents an effective number of subchannels; and

means for selecting the value of K and z to provide a maximum number of bit positions based on the one or more determined values of b.

- 42. (Original) The apparatus of claim 41 wherein the effective signal-to-noise ratio  $\gamma_{eff}$  is an average signal-to-noise ratio of at least a subset of the channels.
- 43. (Previously presented) The apparatus of claim 41 wherein the size of the frame ranges from 0 to  $N_{max}$ - $\rho s$ -sz symbols, where  $N_{max}$  is a predetermined value.

44. (Previously presented) The apparatus of claim 41 further comprising: means for determining a difference  $\Theta(K)$  between a bit error rate prior to decoding and a target bit error rate  $(p_e)$  in accordance with the following relationship:

$$\Theta(K) = \omega \left(\frac{\alpha}{sn_{eff}} \left(K + \rho s + zs\right)\right) \left(1 - 2^{-\frac{\alpha}{2sn_{eff}} \left(K + \rho s + zs\right)}\right) erfc \left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{\frac{\alpha}{sn_{eff}} \left(K + \rho s + zs\right) + 1} - 2\right)\right)$$

$$\times \left[2 - \left(1 - 2^{-\frac{\alpha}{2sn_{eff}} \left(K + \rho s + zs\right)}\right) erfc \left(\sqrt{3 \cdot 10^{\gamma_{eff}/10}} / \left(2^{\frac{\alpha}{sn_{eff}} \left(K + \rho s + zs\right) + 1} - 2\right)\right)\right]$$

$$- \left[1 - \left(1 - W(s, z, K, k)\varepsilon_{s}^{\frac{1}{k(0.5 \cdot sz + 1)}}\right)^{1/\alpha}\right]$$

wherein  $p_{QAM}$  represents a probability of error in transmitting a quadrature-amplitude-modulation waveform representing a  $2^b$  point constellation; comparing the value of  $\Theta(0)$  and  $\Theta(N_{max}-\rho s-zs)$  to 0; and

setting the value of K in response to the comparing.

- 45. (Previously presented) The apparatus of claim 44[[41]] wherein when  $\Theta(0) < 0$  and  $\Theta(N_{max}-\rho s-sz) < 0$ , said means for setting sets  $K = N_{max}-\rho s-zs$ .
- 46. (Previously presented) The apparatus of claim 45 further comprising: means for setting  $b(\gamma_{eff}, s, z)$  equal to  $(\alpha N_{max})/(s n_{eff})$  for all values of  $\gamma_{eff}$  and z.
- 47. (Previously presented) The apparatus of claim 41 wherein when  $\Theta(0)>0$  and  $\Theta(N_{max}-\rho s-sz)>0$ , said means for setting sets  $K=N_{max}-\rho$ .
- 48. (Previously presented) The apparatus of claim 47 wherein said means for setting sets s=1 and z=0.

49. (Currently amended) A method of selecting forward error correction parameters in a channel having a plurality of subchannels in a multicarrier communications system, comprising:

storing, in one or more tables, [[a]] net coding gain gains for a plurality of values of signal-to-noise ratios and numbers of subchannels, the net coding gains gain being based on a one or the values of corresponding to the signal-to-noise ratios and one of the numbers of subchannels, particular sets of forward error correction parameters, the sets including a number (s) of discrete multi-tone symbols in a forward-error-correction frame, a number (z) of forward-error-correction control symbols in a discrete multi-tone symbol, and a maximum number of transmissions (k), for different values of s, z and k;

determining a signal-to-noise ratio representing a subset of the subchannels to provide a representative performance measurement; and

selecting from the tables a particular set of values of s, z and k based on at least the representative performance measurement and the net coding gains gain by applying an approximation to a subset of the values in the table.

- 50. (Previously presented) The method of claim 49 wherein the approximation is a bilinear approximation.
- 51. (Previously presented) The method of claim 49 wherein and the values of s and z are in accordance with the G.dmt standard.